

Patent
Attorney Docket: 032,290-006
[ARTM 1000-5US]

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

FULTON III, Richard Eustis
DUBRUL, William Richard

Serial No. 09/900,801

Filed: July 6, 2001

For: **BIOPSY LOCALIZATION METHOD
AND DEVICE**

Group Art Unit: 3736

Examiner: Szmaj, B.

#16

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information relating to the above-identified application is hereby disclosed. The accompanying Form PTO-1449 provides a listing of documents that may be relevant to the subject application.

It is requested that the Examiner fully consider the art cited in the accompanying Form 1449, initial the left-most column of the form adjacent each cited reference, and return a copy for Applicants' records. It is further requested that the art be cited on the cover of any patent issuing from the subject application.

CERTIFICATE OF MAILING (37 C.F.R. §1.8a)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being transmitted to (703) 872-9306 and (703) 746-3338 on the date shown below addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

August 8, 2003
Date of Deposit

John Kappos
John Kappos

Patent
Attorney Docket: 032,290-006
[ARTM 1000-5US]

In accordance with §1.97(c), this Information Disclosure Statement is being filed after the period set forth in §1.97(b) above, but before the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311. Please charge the fee of \$180.00 as set forth in §1.17(p) to Deposit Account No. 50-0639.

In accordance with §1.98(d), copies of some or all of the references listed on the attached Form PTO-1449 are not enclosed herewith. Accordingly, Applicants will provide duplicate copies in respect of the present case only if the Examiner so desires.

This statement should not be construed as a representation that more material information does not exist or that an exhaustive search of the relevant art has been made. Nor does this statement constitute an admission by Applicants or Applicants' agent that the information provided herein is necessarily prior art to Applicants' invention. Moreover, Applicants reserve the right to establish the patentability of the claimed invention over any of the listed documents should they be applied there-against as references. Please charge any deficiency or credit any overpayment to Deposit Account No. 50-0639.

Respectfully submitted,

O'MELVENY & MYERS LLP

Dated: August 8, 2003

By John Kappos
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IR1:1046384.1

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Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 1 of 1

Complete if Known

Application Number	09/900,801
Filing Date	July 6, 2001
First Named Inventor	FULTON, et al.
Group Art Unit	3736
Examiner Name	Szmal, B.
Attorney Docket Number	032,290-006 (ARTM 1000-5US)

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
	AA	6,228,055	B1	Foerster et al.	5/8/01	
	AB	4,763,642		Horowitz	8/16/88	
	AC	5,342,283		Good	8/30/94	
	AD	6,352,682	B2	Leavitt et al.	3/5/02	
	AE	6,589,502	B1	Coniglione et al.	7/8/03	
	AF	4,655,211		Sakamoto et al.	4/7/87	
	AG	4,838,280		Haaga	6/13/89	
	AH					
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FOREIGN PATENT DOCUMENTS

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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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IR1:1046381.1

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